

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

KENNETH ANDRE CURTIS,

Plaintiff,

v.

Case No. 21-cv-1426-bhl

KILOLO KIJAKAZI,
Acting Commissioner for
Social Security Administration,

Defendant.

ORDER GRANTING MOTION TO ALTER JUDGMENT

On December 12, 2022, the Court entered an Order and Judgment reversing and remanding the decision of the Acting Commissioner of the Social Security Administration. (ECF Nos. 36 & 37.) Two days later, Plaintiff Kenneth Andre Curtis moved to alter the judgment. (ECF No. 38.) According to Curtis, the Court's Order "will tend to confuse the Appeals Council on remand" because it does not explicitly note that Curtis sought remand only on the portion of the Acting Commissioner's decision covering the time period from May 6, 2015 to March 13, 2018. (ECF No. 39 at 6.)

Under Federal Rule of Civil Procedure 60(a), a court may "correct clerical mistakes that subvert [its] intention with respect to the original judgment." *HyperQuest, Inc. v. N'Site Solutions, Inc.*, 632 F.3d 377, 386 (7th Cir. 2011). In this case, the Court intended the scope of its remand order to apply only to May 6, 2015 to March 13, 2018. Indeed, the Court's Order explicitly references that time period twice. (ECF No. 36 at 2.) The exclusion of this period from the judgment was a mere oversight. The Court will therefore grant Curtis' motion to alter the judgment.

IT IS HEREBY ORDERED that Curtis' Motion to Alter Judgment, ECF No. 38, is **GRANTED**. The Judgment is altered to specify that the scope of remand in this case is limited to the period between May 6, 2015 and March 13, 2018, inclusive.

Dated at Milwaukee, Wisconsin on January 5, 2023.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge